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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

20 Cung Le, Nathan Quarry, Jon Fitch, Brandon
Vera, Luis Javier Vazquez, and Kyle
21 Kingsbury on behalf of themselves and all
others similarly situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

25 Defendant.

26 Case No.: 2:15-cv-01045-RFB-(PAL)

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**DECLARATION OF NICHOLAS A.
WIDNELL IN SUPPORT OF ZUFFA,
LLC'S MOTION TO SEAL PORTIONS
OF MOTION FOR PARTIAL
SUMMARY JUDGMENT AS TO
PLAINTIFF NATHAN QUARRY ON
STATUTE OF LIMITATIONS
GROUNDS AND SUPPORTING
MEMORANDUM OF LAW AND
RELATED EXHIBITS**

1 I, Nicholas A. Widnell, declare as follows:

2 1. I am an attorney admitted to practice before the courts in the District of Columbia
 3 and am admitted Pro Hac Vice to practice before this Court. I am Counsel in the law firm Boies,
 4 Schiller & Flexner LLP, and counsel to Defendant Zuffa, LLC (“Zuffa”) in this case.

5 2. I make this declaration in support of Zuffa, LLC’s Motion to Seal Portions of
 6 Motion for Partial Summary Judgment As to Plaintiff Nathan Quarry on Statute of Limitations
 7 Grounds And Supporting Memorandum of Law and Related Exhibits (“Zuffa’s Sealing Motion”).
 8 Based on my review of the files and records in this case, I have firsthand knowledge of the
 9 contents of this declaration and could testify thereto.

10 3. Zuffa seeks to file nine exhibits under seal in their entirety and seeks to redact one
 11 exhibit in part. In addition, Zuffa seeks to redact portions of its Motion for Partial Summary
 12 Judgment as to Plaintiff Nathan Quarry on Statute of Limitations Grounds and Supporting
 13 Memorandum of Law (“Zuffa’s Motion”) and the Statement of Undisputed Material Facts in
 14 Support of Zuffa’s Motion (“SUF”). This declaration is submitted to provide the factual and legal
 15 support for the filing of this material.

16 4. Federal Rule of Civil Procedure 26(c) provides that the Court may “issue an order
 17 to protect a party or person from annoyance, embarrassment, oppression or undue burden or
 18 expense” by “requiring that a trade secret or other confidential research, development, or
 19 commercial information not be revealed or be revealed only in a specific way.” In addition,
 20 documents filed in connection with a summary judgment motion may be sealed if there are
 21 “compelling reasons” to seal those documents. *Kamakana v. City & Cty. of Honolulu*, 447 F.3d
 22 1172, 1179 (9th Cir. 2006) (citation omitted).

23 5. Exhibits A through D and F are Zuffa’s contracts that contain commercially
 24 sensitive terms, trade secrets and specific financial information regarding Zuffa’s contracts with
 25 athletes, royalty rates, and other payment terms.

26 6. Exhibits E, H, I and J are confidential and commercially sensitive business
 27 communications and documents that discuss specific payments made to Plaintiff Nathan Quarry
 28 under the terms of his agreements with Zuffa. In addition, Exhibits E and J contain references to

1 and partial descriptions of confidential contractual provisions. Exhibits H and I contain Zuffa's
2 internal business records that contain specific financial information regarding payments Zuffa
3 made to Mr. Quarry and Zuffa's way of tracking such payments.

4 7. The redacted portions of its Motion for Partial Summary Judgment as to Plaintiff
5 Nathan Quarry on Statute of Limitations Grounds and Supporting Memorandum of Law (“Zuffa’s
6 Motion”), the Declaration of Kirk D. Hendrick in support of Zuffa’s Motion, and the Statement of
7 Undisputed Material Facts in Support of Zuffa’s Motion (“SUF”) contain information from
8 Exhibits A through F and H through J related to Zuffa’s agreements with athletes and payments to
9 athletes.

10 8. With respect to paragraphs 5, 6, and 7 above, it is my understanding that Zuffa
11 treats its agreements with athletes, as well as payments made as a result of those agreements, as
12 confidential trade secret information. Disclosure of this information, which includes specific
13 contractual terms, financial payments, benefits, and obligations negotiated with an athlete, could
14 provide competitors with unfair and damaging insights into Zuffa's business practices.

16 I declare under penalty of perjury under the laws of the United States of America that the
17 foregoing facts are true and correct. Executed this 1st day of February, 2017, in Washington, DC.

/s/ Nicholas A. Widnell
Nicholas A. Widnell